

panel if the parents waive their right to a resolution conference. The hearing panel must conduct the hearing, render and mail a written decision within 45 days of the date of the request for due process. The decision timeline may be extended upon request of the party/parties and agreement by the hearing panel chair.

#### Site of the Hearing

Each hearing must be conducted at a time and place which is reasonably convenient to the parents and student involved.

#### Legal Services

The parent/guardian will be informed of any free or low-cost legal and other relevant services available in the area if:

- A. the parent requests the information; or,
- B. the parent or the agency initiates an impartial due process hearing.

#### Hearing Officers

Hearing officers shall not have a personal or professional interest in the matters that are before them which would conflict with their objectivity in the hearing. Hearing officers shall have an affirmative obligation to seek out any conflict of interest and withdraw from any matter in which a conflict is identified. **Hearing officers must be Missouri residents or demonstrate employment in Missouri.**

- A. A hearing shall not be held by an employee of a public agency which is involved in the education or care of the student or an employee of the State Board of Education.
- B. Specific allegations of conflict of interest shall be filed with the Department of Elementary and Secondary Education, Division of Special Education, and investigated under the Child Complaint Process, Regulation VI.2.
- C. A person who otherwise qualifies to conduct a hearing is not an employee of the agency because he or she is paid by the agency to serve as a hearing officer.

#### Hearing Officer Lists

The Department shall keep a list of the persons who serve as hearing officers. The list must include a statement of the qualification of each of those persons. Attorneys on contract to serve as chairs will be on a separate list. Others who serve as hearing panel members will be placed on the list if they meet training and assessment requirements of the Department, agree to be compensated at a rate set by the Department, and provide the Department with a resume or biographical statement reflecting their qualifications.

#### Training and Assessment Requirements for Hearing Officers

Hearing officers who do not serve in the role of chair must meet the following training requirements:

- A. attend a minimum of one out of every two trainings conducted by the Department of Elementary and Secondary Education. Trainings will be held approximately every 18 months. Failure to meet this requirement will result in the removal from the hearing officer list. Attendance at a future training session will be necessary to be placed back on the list; and,